

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Cancellation of certificate by the Collector & District Magistrate, Adilabad District vide Procs. Rc.No. C3/530/2019-3, dated 24.09.2020 - Appeal filed by Ade Srikanth S/o A.Gopal R/o Ginnersa village, Indravelly Mandal, Adilabad District – Appeal allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 46**

**Dated: 25-06-2021**

**Read the following:-**

1. G.O. Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procs.Rc.No C3/530/2019-3, dated 24.09.2020 of the District Collector, Adilabad District.
3. Appeal petition filed by Ade Srikanth S/o A.Gopal R/o Ginnersa village, Indravelly Mandal, Adilabad District, dated 04.10.2020.
4. Govt.Memo.No.908/TW.LTR/2020, dated: 04.12.2020 & 17.12.2020
5. Lr.Rc.No.D5/309/2018, Dt:09.12.2020 of PO, ITDA, Uttoor, Adilabad District.
6. Notice No.908/TW.LTR/2020, dated: 04.12.2020 & 17-12-2020.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Adilabad, vide her orders in the reference 2<sup>nd</sup> cited, has cancelled the Agency Area Local ST Certificate bearing No.C/499/2019, dated 05.03.2019 issued by the Tahsildar, Indravelly to Ade Srikanth S/o A.Gopal R/o Ginnersa village, Indravelly Mandal, Adilabad District and also declared him as not a Local Schedule Tribe as per definition of GO Ms.No.24, TW (LTR.1) Dept.,dt.12.06.2018.

3. The history of the case is that the appellant Sri Ade Srikanth S/o A.Gopal has been provisionally selected for the post of SCT PCs under Agency Scheduled Tribe Category of Adilabad District. During verification of certificates, the District Collector, Adilabad in her Procs.Rc.No.C3/530/2019-3, dt.24-9-2020 has cancelled his Agency Area Local ST Certificate bearing No.C/499/2019, dated 05.03.2019 issued by the Tahsildar, Indravelly and also declared him as not a Local ST as per definition of GO Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018, basing on the following findings of the Scrutiny Committee headed by the PO ITDA Uttoor:

3. Sri Ade Srikanth had appeared before the Scrutiny Committee and submitted the following documents in support of his claim:

1. 1954-55 Khasra Pahani of Ginnersa village.
2. Copy of 1357 Fasli Pahani.
3. Pahanies for the years 1963-64, 1974-75, 1984-85, 1993-94, 1995-96.

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4. TS PPB T13100030202.
5. Aadhar Card.
6. Voter list for the years 1965, 1971, 1983, 1988 & 2018.
7. Voter ID card of Sri Gopal.
8. School TC of Sri Gopal (for DoB 15.03.1974).

4. During the course of enquiry, the Scrutiny Committee after verifying the documents has concluded as follows:

1. The candidate has claimed that his grandfather's brother Sri Manjya S/o Mohanya was recorded as cultivator in Sy.No.48 PP Ginnersa revenue village of Indervelly Mandal.
2. The relationship between applicant's father and old pattedar Sri Manjya S/o Mohanya is not established.

5. The Scrutiny Committee with the above findings opined that Sri Ade Srikanth S/o Gopal R/o Ginnersa has failed to produce sufficient evidences to prove his continuous residence in agency area since 26.01.1950 to till date as per GO Ms.No.24, dt.12.6.2018 – hence, recommendation for cancellation of his certificate bearing No.C/499/2019, dt.5.3.2019.

6. In compliance to the show cause notice issued, Sri Ade Srikanth had attended before the District Collector on 24.6.2020 and deposed that his grandfather Damda S/o Mohanya is the family member of Pulya S/o Tolya whose name recorded in the year 1950 and his grandfather name recorded in the year 1954-55. Further, a copy of voter list which is in Marathi language for the year 1965-66 of Ginnersa village was produced and stated that his grandfather's brother Sri Manjya S/o Mohanya at Sl.No.155 and his grandfather Sri Damda S/o Mohanya at Sl.No.156. On perusal of voter list, names of his grandfather's brother Sri Manjya S/o Mohanya and his grandfather Sri Damda S/o Mohanya are not tallied. Moreover, he failed to produce any other documents to establish relationship between his father and old pattedar Sri Manjya S/o Mohanya or any other documentary evidence to prove his or his forefathers residence in agency area since 1950. So the above observations of the Scrutiny Committee found valid.

7. Aggrieved by cancellation orders of the District Collector, Adilabad and in view of appeal provisions, the appellant Ade Srikanth S/o Gopal R/o Ginnersa village, Indervelly Mandal, Adilabad District has filed an Appeal before the Government under GO Ms.No.24, dt.12.6.2018 in the reference 2<sup>nd</sup> cited, and stating that they are the continuous residents of Ginnersa village of Indervelly Revenue Mandal since 26.01.1950 which is a notified scheduled village. Simply on the fictitious and baseless grounds, names of the voter list of grandfather Sri Dumda S/o Mohanya and name of grandfather's brother Sri Manjya S/o Mohanya are not tallied – the voter list which was published during 1950-51 is incorporated in vernacular part of Marathi language and its true translation has been attested by the Translator and thus the Scrutiny Committee has miserably failed to ascertain as to how they have come to a negative conclusion that the names as mentioned in the voter list are not tallied when the same proof, relevancy and admissibilities of facts are also mentioned in other relevant documents such as Khasra

Pahani for 1954, Faisal Patti, Vasool Baqui and Sunwai Purchase for the year from 1963-64 to 1995-96 etc. hence, prayed to set aside impugned orders of District Collector, Adilabad in Procs.No.C3/530/2019-03, dt.24.9.2020 and restore original Agency Area Local ST certificate No.C/499/2019 issued by the Tahsildar, Indervelly.

8. The following documents have been submitted along with the Appeal and also during hearing before the Government on 23.12.2020:

i) Family Tree:

Mittu is senior great grandfather of appellant. He has three sons namely 1) Tholya 2) Gannu and 3) Mohanya (great grandfather of appellant).

Tholya i.e. elder brother of great grandfather of appellant has three sons namely 1) Phulya 2) Rama 3) Sakriya while another elder brother of great grandfather of appellant namely Gannu has two sons namely 1) Rupla and 2) Bhikku.

Mohanya, great grandfather of appellant has two sons namely 1) Manjya and 2) Dhumda (grandfather of appellant).

Dhumda i.e. grandfather of appellant has four sons namely 1) Prahlad 2) Gopal (father of appellant) 3) Rohidas and 4) Devidas.

Gopal i.e. father of appellant has two sons namely 1) Srikanth (appellant herein) and 2) Krishna.

- ii) Fasli 1357 (year 1947) – Namuna No.5,6-7/1-2, Takhta Faisalpatti – village: Ginnersa – Taluka: Utnoor – shows name of Pulya S/o Tolya (i.e. son of eldest brother of great grandfather).
- iii) Namuna No.4 – Takhta Choufasla Jamabandhi – Ginnersa village – Taluka: Utnoor – 1952 AD – shows name of Manjya S/o Mohanya (elder brother of grandfather Dhumda) in Sy.No.48 PP for an extent of acs.12.20 gts.
- iv) Khasra Pahani 1954-55 – Ginnersa village – Taluka: Utnoor – recorded name of Manjya S/o Mohanya (elder brother of grandfather Dhumda).
- v) Wasool Baqui – 1952 – shows name of Manjya S/o Mohanya for an extent of acs.12.20 gts (elder brother of grandfather Dhumda).
- vi) Pahani 1961-62, 1963-64, 1965-66, 1974-75, 1984-85, 1993-94, 1995-96 – shows name of Dhumda S/o Mohanjya (grandfather of appellant) for an extent of acs.4.5 in Sy.No.71.
- vii) Pahani for 2017 – Ginnersa village – Indervelly Mandal – shows name of Ade Gopal S/o Dumda (father of appellant) for an extent of acs.1.00 in Sy.No.71/1.
- viii) Voter list for the year 1965-66 – shows name of Dhamjya S/o Mohanya (grandfather of appellant).

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- ix) Voter list for the year 1971 – 237 Boath Assembly Constituency – Part No.196 – Ginnersa village – show names of Dhumda S/o Mohanya at Sl.No.56 and Bikribai W/o Dhumda at Sl.No.57 (grandparents of appellant) under H.No.1-32/1. Name of elder brother of grandfather Dhumda namely Manjya S/o Mohanya and his wife Hemudabai were also found at Sl.Nos.321 and 322...
- x) Voter list for the year 1977 – Ginnersa village - show names of Dhumda Ade (Mohanya) and Bakribai W/o Dhumda (grandparents of appellant) at Sl.Nos.251 and 252 under H.No.3-28/A.
- xi) Voter list for the year 1983 – 241 Boath ST Assembly Constituency – Polling Station No.12 – Muthnoor Ginnersa area – show names of Ade Dhumda and his wife Bakribai at Sl.Nos.369 and 370 under H.No.3-28/A (grandparents of appellant).
- xii) Voter list for the year 1988 – 241 Boath ST Assembly Constituency – Polling Station No.15 – Poling Area – Ginnersa – show names of 1) Dhumda (grandfather) at Sl.No.460, 2) Bikkibai W/o Dhumda (grandmother) at Sl.No.461 and 3) Prahlada S/o Dhumda (elder paternal uncle) at Sl.No.462.
- xiii) Voter list for the year 1999 – 241 Boath ST Assembly Constituency – Ginnersa village – names of Ade Dhumda, Ade Bakribai, Ade Prahlad, Ade Kalabai, Ade Gopal, Ade Lalitabai, Ade Rohidas were recorded from Sl.No.298 to 304 under H.Nos.1-78 and 1-78/1.
- xiv) Agency Area Local ST Certificate bearing R.C.No.C/499/2019, dt.05.03.2019 issued by the Tahsildar, Indervelly Mandal certifying that Sri Ade Srikanth S/o Ade Gopal belongs to ST Lambadis ST community and that his parents/grandparents have been continuously residing at Ginnersa village of Indervelly Mandal of Adilabad District since 26.01.1950, which is a notified scheduled village as per Scheduled Areas (Part-B States) Order, 1950.
- xv) PESA Gram Sabha Resolution dt.25.05.2020 – wherein it was declared that Sri Ade Srikanth and his ancestors have been living in Ginnersa village of Indervelly Mandal from before 1950. Sri Manjya S/o Mohanya and Sri Dhumda S/o Mohanya are own brothers and sons of Mohanya – apportioned immovable properties situated in old Sy.No.48 and present Sy.No.71.

9. Vide reference 4<sup>th</sup> read above, the District Collector, Adilabad has been requested to submit connected documents pertaining to the case along with para-wise remarks.

10. Accordingly, vide reference 5<sup>th</sup> read above, the PO ITDA, Utnoor District has submitted original record of the case along with para wise remarks.

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11. Vide reference 6<sup>th</sup> read above, a Notice has been sent to the Appellant to attend for hearing on 23.12.2020 at 2.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 23.12.2020 submitted documents in support of his claim that they have been residing in the Agency Area since 1950 till date.

12. From the above evidentiary material, it is found that the appellant Sri Ade Srikanth S/o A. Gopal & his ancestors are the local STs of Ginnera, an agency village in Indervelly Mandal of Adilabad District from before 1950.

13. In the present case, as seen from the record, there is no complaint made against the Appellant Sri Ade Srikanth S/o A. Gopal R/o Ginnera and the District Collector, Adilabad ought to have informed the same to the appointing authority i.e. Superintendent of Police, Adilabad about his local ST status in the Agency area as per the above directions of the Hon'ble High Court. Non-compliance of above directions of the Hon'ble High Court would likely to attract contempt proceedings. On this count also, the appeal deserves to be allowed.

14. Government after careful examination of the documents available on record sent by the PO, ITDA, Uttoor, Adilabad District, and documents submitted by the Appellant and along with the Appeal Petition, during hearing on 23.12.2020 and also in the light of the interim orders of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh passed in IA No.1 of 2018 in WP No.31426 of 2018, dated 5.9.2018 and in IA No.1 of 2018 in WP No.32413 of 2018, dated 14.9.2018 it is found that the appellant Sri Ade Srikanth S/o A.Gopal & his ancestors are the local STs of Ginnera, an agency village in Indervelly Mandal of Adilabad District from before 1950.

15. Accordingly, Government hereby allowed the appeal filed by the appellant Ade Srikanth S/o A.Gopal R/o Ginnera village, Indravelly Mandal, Adilabad District and setting aside the orders of the Dist. Collector, Adilabad in Proc.No.C3/530/2019-3, dt.24-9-2020 and treating the Agency Area Local ST Certificate bearing No.C/499/2018, dt.05.03.2019 issued by the Tahsildar, Indervelly to the appellant, as valid.

16. The Collector and District Magistrate, Adilabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr. CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Ade Srikanth S/o A.Gopal R/o Ginnera village, Indravelly Mandal,  
Adilabad District.

Copy to:

1. The Secretary, Telangana State Public Service Commission,  
Hyderabad (for information & necessary action)
2. The Chairman, Telangana State Level Police Recruitment Board,  
Hyderabad(for information & necessary action)

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3. The Project Officer, ITDA Uttoor, Adilabad District (for information & necessary action)
4. The Superintendent of Police, Adilabad District (for information & necessary action)
5. The PS to Hon'ble Minister for ST Welfare for information.
6. The PS to Secretary (TW)
7. The PS to Special Secretary (TW)
8. SF/SC.

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**